



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB0330

Introduced 1/21/2005, by Rep. Patrick J Verschoore

SYNOPSIS AS INTRODUCED:

50 ILCS 20/4
50 ILCS 20/4a

from Ch. 85, par. 1034
from Ch. 85, par. 1034a

Amends the Public Building Commission Act. Deletes a provision that requires any county that created a public building commission by resolution adopted by the county board to submit the resolution to the voters of the county. Makes corresponding changes. Provides that the county board of any county that has created a public building commission for a limited and specific purpose may expand that purpose by resolution.

LRB094 04053 MKM 34073 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Public Building Commission Act is amended by
5 changing Sections 4 and 4a as follows:

6 (50 ILCS 20/4) (from Ch. 85, par. 1034)

7 Sec. 4. The governing body of any municipality with 3,000
8 or more inhabitants or any county seat or the county board of
9 any county may, by resolution adopted by a majority of its
10 members, determine that there is need and that it is in the
11 best interest of the public that a Public Building Commission
12 be organized to exercise the powers and authority prescribed by
13 this Act and it shall therein set forth the name of the Public
14 Building Commission to be created hereunder, provided,
15 however, that the words "Public Building Commission" shall form
16 part of its name. After January 1, 1993 ~~the effective date of~~
17 ~~this amendatory Act of 1992~~, if the original resolution for the
18 creation of a Public Building Commission has been adopted by
19 the governing body of a municipality with 3,000 or more
20 inhabitants or a county seat, ~~or a county board~~, the resolution
21 shall be submitted to the voters of such municipality or ~~7~~
22 ~~county seat, or county~~ at an election in accordance with the
23 general election law. The proposition shall be in substantially
24 the following form:

25 Shall the Public Building Commission of (name of
26 municipality) be created and organized to exercise the
27 powers and authority prescribed by the Public Building
28 Commission Act?

29 The votes shall be recorded as "Yes" or "No". If a majority
30 of the votes cast upon the proposition are in favor thereof,
31 the Public Building Commission of such municipality or county
32 shall be created and organized in the manner hereinafter

1 provided. The presiding officer of the municipality with 3,000
2 or more inhabitants, county seat, or county board shall within
3 10 days after the date of the approval of the proposition by
4 the voters, cause a copy of the resolution to be published once
5 in a daily newspaper published in the county seat and if there
6 be no newspaper published in that county seat, then in a
7 newspaper published in the county having a circulation in that
8 county seat. Any municipal corporation which has the power of
9 taxation under the laws of this State and any part of whose
10 area of jurisdiction lies within the territorial limits of that
11 county seat may join in the organization of the Public Building
12 Commission in the manner hereinafter set forth in this section.
13 The governing body of any municipal corporation meeting the
14 foregoing requirement and desiring to join in the organization
15 of the Public Building Commission, shall, by a majority vote of
16 its members and within 45 days from the date of such
17 publication, adopt a resolution to that effect. The presiding
18 officer of each municipal corporation adopting such a
19 resolution signifying its desire to join in the organization of
20 the Public Building Commission, shall, within 15 days after the
21 date of adoption thereof, transmit a copy of the resolution
22 duly certified by the proper officer of that municipal
23 corporation to be true and correct, to the presiding officer of
24 the municipality or ~~county seat or county board~~ adopting the
25 original resolution.

26 Within the 10 day period following the expiration of 60
27 days after the date of publication of the original resolution,
28 it shall be the duty of the presiding officer of the
29 municipality or ~~county seat or county board~~ adopting the
30 original resolution to file in the office of the recorder in
31 and for that county under one cover a certified copy of the
32 resolution adopted by such municipality, county seat, or county
33 board together with a certificate by the publisher of the
34 newspaper of the publication of such resolution and the date of
35 publication and all of the certified copies transmitted to him
36 as hereinabove provided by the municipal corporations, if any,

1 joining in the organization of the Public Building Commission.

2 Upon such filing in the office of the recorder the Public
3 Building Commission shall be deemed to be organized as a
4 municipal corporation and body politic.

5 In any county having a population of at least 350,000 but
6 less than 1,000,000 inhabitants, more than one Public Building
7 Commission may be organized to exercise the essential
8 governmental powers and functions herein granted and such a
9 county may establish a Public Building Commission even though a
10 municipality within the county already has one established
11 under this Act.

12 Not more than one Public Building Commission shall be
13 organized by a single unit of local government.

14 (Source: P.A. 87-1208; 88-45.)

15 (50 ILCS 20/4a) (from Ch. 85, par. 1034a)

16 Sec. 4a. A Public Building Commission may be created for
17 the limited purpose of constructing, acquiring, enlarging,
18 improving, repairing or replacing a specific public
19 improvement, building or facility or a special type or class of
20 public improvements, buildings or facilities. The provisions
21 of Section 4 of this Act shall apply to the creation of a
22 Public Building Commission under this Section, except that the
23 resolution adopted by the municipality or county board and the
24 proposition shall specify the limited purpose for which such
25 Public Building Commission is to be created. The provisions of
26 Section 4 authorizing any municipal corporation any part of
27 whose area of jurisdiction lies within the territorial limits
28 of that county seat to join in the organization of the Public
29 Building Commission in the manner set forth in that Section
30 shall not be applicable to a Public Building Commission created
31 under this Section. The county board of any county that has
32 created a public building commission for a limited and specific
33 purpose may expand that purpose by resolution.

34 (Source: P.A. 82-240.)